

STATEMENT OF THE SUBSTANCE OF THE OCTOBER 21, 2004 INTERVIEW

The Examiner's consideration in granting a telephonic interview on June 3, 2005 for this case is respectfully acknowledged. Applicant believes the Substance of Interview prepared by the Examiner and mailed to Applicant on June 10, 2005 generally reflects the actual substance of the interview, with one exception. Applicant's recollection of the interview is that agreement was reached as to the allowability of Claim 7, after amendment to include all the limitations of Claim 9. The Office Action of May 23, 2005 indicated that Claim 9 would be allowable if rewritten in independent form, which corresponds to Claim 7, as amended. In contrast, the Examiner's Interview Summary indicates that agreement was not reached as to the claims. The foregoing amendments to the claims are intended to be fully responsive to the proposed amendment to Claim 7 discussed in that telephonic interview.

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. The Examiner's determination in the Office Action mailed May 23, 2005 that claims 12, 17, 18, and 20 constitute allowable subject matter is gratefully acknowledged.

The Office Action mailed May 23, 2005 indicated that claims 7 and 10 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. Pat. No. 343,688 to Barney ("Barney"). The Office Action mailed May 23, 2005 also indicated that claim 8 was rejected under §103(a) as unpatentable over Barney.

The Office Action also indicated that claim 9 would be allowable if rewritten into independent form. Independent Claim 7 has been rewritten to include all the limitations of Claim 9, so claim 7 should now be allowable. The foregoing is not an admission that Applicant necessarily agrees that claims 7 and 10 (before amendment) are in fact anticipated by Barney, and Applicant reserves the right to pursue those claims in a continuation application. Claim 9 has been cancelled as redundant with Claim 7 as amended.

Claims 8 and 10 depend directly from Claim 7 as amended, and incorporate all the limitations thereof. Consequently, Claims 8 and 10 should also be allowable.

No claims are being added. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. After amending the claims as set forth above, claims 7, 8, 10, 12, 17, 18, and 20 are now pending in this application.

Applicant believes that the present application should now be in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2350.

Respectfully submitted,

Date June 14, 2005

By  _____

FOLEY & LARDNER LLP
Customer Number: 23524
Telephone: (608) 258-4268
Facsimile: (608) 258-4258

Rick L. Abegglen
Attorney for Applicant
Registration No. 47,371